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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/817,482	04/02/2004	Hiroshi Kobayashi	B-5409 621803-3	6130

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EXAMINER

CHOWDHURY, AFROZA Y

ART UNIT	PAPER NUMBER
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2609

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	04/10/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No. 10/817,482	Applicant(s) KOBAYASHI, HIROSHI	
	Examiner Afroza Y. Chowdhury	Art Unit 2609	

– The MAILING DATE of this communication appears on the cover sheet with the correspondence address –

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☐ Claim(s) 1-11 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>4/2/07, 3/27/07, 8/21/07</u> . | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Claim Rejections - 35 USC § 112

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims 2, 4, and 5 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding claim 2, how it is possible for a display screen to have an “**outward appearance**” identical to or that resembles the outward appearance of a control member or display member is not clear.

Regarding claim 4, it is not clear how the display member can be realized on display screen. There is lack of antecedent basis for “**said detected location**”. Also, it is not clear how the control member can be realized according to detected location.

Regarding claim 5, the phrase in claim 5, line 4 “**a switch display instruction**” is not clear. What does a switch-display-instruction mean? What does a switch-display-instruction do? There is no function connection to any of the devices, for example, control device, control member, or display member.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1, 4, and 6–11 are rejected under 35 U.S.C. 102(b) as being anticipated by Watanabe et al (US Patent 6373213).

As to claim 1, Watanabe et al. discloses an information display apparatus comprising: a display screen (fig. 1A(G), fig. 7C(G), col. 6, lines 52-59);
a movable panel member (fig. 1A(D), fig. 7C(D), col.6, lines 52-59);
and a control device (microcomputer, col. 7, line 66 – col. 8, line 1) which controls such that the functions of a control member (navigation apparatus, col. 19, lines 7-11) and/or display member (operation panel to control an audio visual apparatus for a vehicle , col. 8, lines 4-13) that are completely or partially hidden due to movement of said movable panel member (fig. 1A(D)) are realized on the display screen (fig. 1A(G), 1B, and 7A).

As to claim 4, Watanabe et al. teaches an information display apparatus comprising: a position-detection device (encoder, col. 8, lines 41-47) that detects the position of a panel member (fig.1A (D));

and wherein a control device (microcomputer, col. 7, line 66 – col. 8, line 1) performs control such that the functions of a control member (navigation apparatus, col. 19, lines 7-11) and display member (operation panel to control an audio visual apparatus for a vehicle, col. 19, lines 4-7) are realized on the display screen according to detected location (fig. 1A), as best understood.

As to claim 6, Watanabe et al. discloses an information display apparatus comprising: a movement-control device (display panel driving device) which controls the movement of the panel member (fig. 1A(D), col. 6, lines 15-25).

As to claim 7, Watanabe et al. teaches an information display apparatus where the panel member is a storage-type panel member (fig. 1(A)). The display panel can be rotated and slide into a dashboard.

As to claim 8, Watanabe et al. teaches an information display apparatus wherein the panel member is a rotation-type panel member (fig. 1A, col. 8, lines 14-19).

As to claim 9, Watanabe et al. discloses an information display method of displaying information on the display screen (fig 1A(G)) of a movable-type panel member (fig. 1A(D)), the information display method comprising: a moving process (col. 6, lines 15-25) of performing movement control of panel member (fig. 1A(D));

and a controlling process (fig.7A, col. 8, lines 4-13) of performing control such that the functions of a control member (navigation apparatus, col. 19, lines 7-11) or display member (operation panel to control an audio visual apparatus for a vehicle , col. 8, lines 4-13) that are completely or partially hidden due to the movement of said panel member (fig. 1A(D)) are realized on said display screen (fig 1A(G)).

As to claims 10 and 11, Watanabe et al. teaches an information display processing program embodied in a recording medium which can be read by a computer (fig. 1B (3), col. 9, lines 27-33) in an information display apparatus, the program making the computer function as: a movement control device which performs movement control of said panel member (col. 6, lines 15-25);

and a control device which performs control such that the functions of a control member or display member that are completely or partially hidden due to the movement of said panel member are realized on said display screen (fig 1A, 1B, 7A, col. 7, line 66 – col. 8, line 1, col. 8, lines 4-13).

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Watanabe et al (US Patent 6373213) in view of Sano (US Pub. 2002/0018057).

As to claim 2, Watanabe et al. discloses an information display apparatus where a control device is used to drive the display panel (col. 19, lines 4-11). He does not teach a display screen that has gives image with outward appearance identical to or that resembles the outward appearance of the control member or display member.

Sano teaches a touch panel where a control panel appears on an LCD (32) by touching key switches (37) on the LCD (32) and the user can control various functions of the base apparatus (page 2-3, [0032]) as described by Sano.

Therefore, it would be obvious to include a touch panel with the display apparatus of Watanabe et al. Doing so would provide a means for displaying an audio-visual apparatus for a vehicle in order to allow a user to operate entertainment or navigation system by touch control panel.

7. Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Watanabe et al (US Patent 6373213) in view of Son et al. (US Pub. 2004/0164974).

As to claim 3, Watanabe et al. teaches an information display apparatus where a control device is used to drive the display panel (col. 19, lines 4-11). He does not explicitly teach an information display apparatus where a control device displays an

image on a display screen that changes the surface dimensions of the control member and the display member.

Son et al. teaches a display device where the dimension of the displayed image can be controlled (pages 4-5, [0076]).

Therefore, it would be obvious to combine the display device of Son et al. with the control device of Watanabe et al. in order to attain different surface dimensions of images on a display screen to be different depending on the function of the device, such as navigation or audio-visual apparatus for a vehicle.

8. Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Watanabe et al (US Patent 6373213) in view of Ogawa et al. (US Patent 6628245).

As to claim 5, Watanabe et al. teaches a display panel control device for accommodating a display panel to serve information for navigation process in a vehicle (col. 6, lines 15-25). He does not teach a switch-display-instruction-receiving device.

Ogawa et al. discloses a multifunction switch device that displays a function of a switch presently selected by a user on a switch operating section (col. 1, lines 46-53, fig. 10, 12-14, 16-19).

Therefore, it would be obvious to combine the multifunction switch device of Ogawa et al. with the display panel control device of Watanabe et al. to make an multifunction information apparatus for a vehicle where the switch-display instruction is received by the switch-display-instruction-receiving device.

Conclusion

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Afroza Y. Chowdhury whose telephone number is 571-270-1543. The examiner can normally be reached on 7:30-5:00 EST, 5/4/9.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Amare Mengistu can be reached on 571-272-2600. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

AC


AMARE MENGISTU
SUPERVISORY PATENT EXAMINER